

## **REMARKS**

Reconsideration of this application is respectfully requested.

Claims 1-4, 8 and 9 were rejected under 35 USC § 103(a) based on U.S. Patent 1,243,107 to Richardson, combined with U.S. Patent 1,105,624 to Davis, and the newly cited U.S. Patent 4,765,005 to Hippel.

Claim 5 was rejected under 35 USC §103(a) based on Richardson, Davis and Hippel combined with the newly cited U.S. Patent 5,664,640 to Smith.

Claim 7 was rejected under 35 USC §103(a) based on Richardson, Davis, Hippel and the previously cited U.S. Patent 5,540,307 to Pickering.

Dependent claim 6 was noted by the Examiner to contain allowable subject matter and has been rewritten in independent form as claim 15. Allowance of claim 15 is thus respectfully requested.

U.S. Patent 1,243,107 to Richardson shows a suspension device that includes a frame 2 with a pulley 10 attached to an upper portion of the frame 2, and a clamping dog assembly 5 attached at a pin 6 to a lower portion of the frame 2. Thus, the clamping dog assembly 5, being collectively mounted on the frame 2 with the pulley 10, is not moveable upwardly and downwardly with respect to the pulley 10. Furthermore neither one of the rope strands 9 of the Richardson device are attached to the clamping dog assembly 5.

Richardson shows two strands of rope 9 that depend from the pulley 10. The Richardson dog assembly 5 clamps or locks against the strand of the rope 9 on the right side of Fig. 1 when the left side strand of rope 9 in Fig. 1 is pulled downwardly. The clamping dog 5 has a cam surface that is rotatable on the pin 6 counterclockwise against the rope strand 9 on the right

side of Fig. 9 as the rope strand on the left side of Fig. 9 moves downwardly. The cam surface thus moves against the rope to lock the rope on the right side of Fig. 9 against a bearing lug 7. Thus downward movement of the rope strand 9 on the left side of Fig. 9, past the clamping dog 5, causes the clamp to lock against the rope strand 9 on the right side of Fig. 1.

Unlocking of the rope strand 9 in the Richardson clamp can occur when the lockable strand of rope 9 on the right side of Fig. 1, between the clamping dog 5 and the bearing lug 7, is enabled to move downwardly, or the clamping dog 5 is pivoted clockwise about the pivot pin 6. Downward movement of the locked rope strand 9 on the right side of Fig. 1, past the clamping dog 5, causes the cam surface of the clamping dog 5 to recede away from the rope strand 9, to release the rope strand 9 on the right side of Fig. 1 from its locked position. In the Richardson clamp, the locking and unlocking of the clamping dog 5 with respect to the rope 9 is controlled by the direction of movement of the rope strand 9 on the right side of Fig. 1, that engages the clamping dog 5.

U.S. Patent 1,105,624 to Davis is for a rope clutch for hoists. Davis shows a pulley 16, and a rope 14 passing over the pulley 16, the rope 14 having a loop 15 at one end. Another part of the rope 14 passes through a rope clutch 1-8 (Fig. 3). The rope clutch 1-8 is linked to the loop 15 by an arm 9 and a bracket 11-13. The clutch 1-8 is a form of lock mechanism. When a weight in the loop 15 is to be hoisted, the free end of the rope 14 is pulled. However, if the free end of the rope 14 is slackened, then the weight on the loop 15 will cause the arm 9 to move counterclockwise about a pivot 7 and enable the cam surface of the arm 9 to lock against the rope 14. Thus there is never any danger that a load or weight in the loop 15 will fall freely or descend in a manner that would be out of control of the user.

Once the weight on the loop 15 has been fully hoisted to a desired location and released from the loop 15 of Davis the cam lock can be released by pulling down on the cam release rope 17. The Davis device is thus a fool-proof device with built in safety features that avoid the possibility that a load on the pulley system would fall uncontrollably or accidentally, since the locking mechanism or rope clutch operates automatically when a weight begins to descend.

The Examiner next cites U.S. Patent 4,765,005 to Hippel for an adjustable foot support device that enables a person to sit in bed with the back resting against the headboard of the bed. Hippel shows a rope 30 passing through a tubular member 15. One end 48 of the rope 30 is firmly attached to a jam cleat 40 within the tubular member 15. Another selected part of the rope 30 is jammed into the cleat 40 at a desired distance from the rope end 48. The rope 30 is thus extended outside the cleat 40 into a relatively large loop that encircles the headboard. The cleat 40 locks the rope 30 to maintain a predetermined size of the rope loop 30 outside the tubular member 15, to accommodate the legs of the person sitting in the bed. It is noted that the rope 30 can be pulled away from the locking grooves 55 of the jam cleat 40 as shown in Fig. 5, whereby the rope 30 is then freely slidable in the jam cleat 40.

The Examiner states that it would be obvious to skilled artisans to utilize the teachings of Hippel with Richardson and Davis to better engage the rope and prevent accidental slipping or unintentional removal of the rope from the device.

Applicant respectfully submits that the proposed combination of prior art would yield a device that is potentially disastrous. For example if Hippel is combined with Richardson and Davis and the newly contrived device is used to elevate a heavy load such as a safe there is a possibility that

the safe would become a freely falling object without constraint if the rope were released from the jam cleat of Hippel in the manner shown in Fig. 5 of Hippel. Accordingly it is submitted that combination of Hippel with Richardson and Davis is not an improvement but is a strikingly impractical device that substitutes the less advantageous features of Hippel for the advantageous features of Davis and Richardson.

Applicant thus submits that the combination of Richardson and Davis with Hippel is untenable, unreasonable and inoperable.

Applicant's claim 1 as amended is submitted to be patentable and allowance of claim 1 is thus respectfully requested.

Claims 4, 8 and 9 which directly or indirectly depend on claim 1 are likewise submitted as allowable for the reasons supporting allowance of claim 1 as well as the distinctions defined therein. Allowance of claims 4, 8 and 9 is thus respectfully requested.

U.S. Patent 5,664,640 to Smith shows an ascending clamp which adds nothing to Richardson, Davis, and Hippel that would enhance the teachings thereof. For example, Smith shows a brake assembly 70 that is cam operated upon movement of a rope in one direction or another for controlling the lifting of heavy weights.

It is thus submitted that claim 5 which depends on claim 1 is patentable over the cited prior art for reasons previously discussed in connection with claim 1 and the distinctions defined in claim 5. Allowance of claim 5 is thus respectfully requested.

U.S. Patent 5,540,307 to Pickering, as discussed in applicant's previous Amendment, is for a rescue system and does not show or suggest applicant's device as claimed in dependent claim 7, which depends on claim 1. Allowance of dependent claim 7 is thus respectfully requested for the

reasons supporting allowance for claim 1 as well as the distinctions defined therein.

Newly added dependant claims 10-14, which indirectly depend on claim 1, are likewise submitted as allowable for the reasons supporting allowance of claim 1 as well as the distinctions defined in claims 10-14. Allowance of claims 10-14 is thus respectfully requested.

In view of the foregoing remarks and amendments, it is submitted that this application is in condition for allowance and allowance thereof is respectfully requested.

Respectfully submitted,

/Philip Rodman/

Philip Rodman, Reg. No. 25,704  
Attorney For Applicant

Dated: June 22, 2007

RODMAN & RODMAN  
10 Stewart Place – Suite 2CE  
White Plains, New York 10603

Telephone: (914) 949-7210  
Facsimile: (914) 993-0668

1097-36-Amendment